

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re FIRSTENERGY CORP. SECURITIES LITIGATION)	No. 2:20-cv-03785-ALM-KAJ
_____)	<u>CLASS ACTION</u>
)	
This Document Relates To:)	Judge Algenon L. Marbley
)	Magistrate Judge Kimberly A. Jolson
ALL ACTIONS.)	
_____)	

NOTICE REGARDING OBJECTIONS OF NON-PARTIES SAMUEL C. RANDAZZO AND
SUSTAINABILITY FUNDING ALLIANCE OF OHIO, INC. TO THE NOVEMBER 6, 2023
ORDER BY THE SPECIAL MASTER ON PLAINTIFFS' MOTION TO COMPEL

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On November 6, 2023, the Court-appointed Special Master issued a discovery order directing non-parties Samuel C. Randazzo (“Randazzo”) and Sustainability Funding Alliance of Ohio, Inc. (“SFAO”) to comply with a June 27, 2022 subpoena. ECF 554 (the “Randazzo Order”) (this subpoena is in the record at ECF 438-1 (Exhibit 1 to April 3, 2023 Joint Discovery Status Report)). Specifically, the Randazzo Order enforces Magistrate Judge Jolson’s prior discovery orders by directing Randazzo to produce documents regarding the \$4.3 million that defendant FirstEnergy Corp. has admitted to paying in exchange for official acts by Randazzo.

On November 27, 2023, Randazzo and SFAO timely objected to the Randazzo Order. ECF 563 (“Randazzo’s Objection”). Randazzo’s Objection is based on multiple mischaracterizations of the underlying facts, procedural history, and the applicable law, but the Court’s Order Appointing Special Master contains no provision for responses to such objections. ECF 541. Accordingly, Plaintiffs provide this notice to inform the Court that: (1) they take exception to Randazzo and SFAO’s mischaracterizations and are prepared to file a response within 72 hours should the Court so order; and (2) if it will expedite the Court’s resolution of Randazzo’s Objection, Plaintiffs would be willing to cap at \$10,000 Randazzo and SFAO’s liability for Plaintiffs’ attorneys’ fees and costs associated with the motion to compel concerning their failure to timely comply with the underlying subpoena and Magistrate Judge Jolson’s underlying orders.¹

DATED: November 28, 2023

MURRAY MURPHY MOUL + BASIL LLP
JOSEPH F. MURRAY, Trial Attorney (0063373)

s/ Joseph F. Murray
JOSEPH F. MURRAY

¹ Plaintiffs are Class Representatives Los Angeles County Employees Retirement Association, Amalgamated Bank, as Trustee for the LongView LargeCap 500 Index Fund, LongView Quantitative LargeCap Fund, LongView Broad Market 3000 Index Fund, LongView LargeCap 500 Index Fund VEBA, LV LargeCap 1000 Value Index Fund, LongView Quantitative MidCap Fund, LongView Quant LargeCap Equity VEBA Fund and LongView Core Plus Fixed Income Fund, City of Irving Supplemental Benefit Plan, and Wisconsin Laborers’ Pension Fund.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on November 28, 2023. Notice of this filing will be sent to all electronically registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Joseph F. Murray

Joseph F. Murray (0063373)